

Testimony in Opposition to Raised HB 5425 Section 3

Dear Sen. Gaffey, Rep. Fleischmann and Members of the Education Committee,

I am a parent of a child receiving special education services as part of their education in our public school district.

I am writing in opposition to changes in H.B. 5425 "AN ACT CONCERNING SPECIAL EDUCATION" Section 3 changing the burden of proof to the party requesting the hearing. I happen to be lucky and have had very good success working with our school district and not had to use Due Process to resolve any discrepancies but many parents in our state need to rely on Due Process for their children to get the services they need in the setting they believe is appropriate for their child to succeed academically and socially. Shifting the burden of proof to the one who requests the hearing puts the parents at an even greater disadvantage. The parents do not have the years of experience the school districts have. The parents cannot retain some of Connecticut's finest lawyers and often represent themselves in these situations. The parents do not have the training nor has the experience the school district. The parents would not have a fair hearing with any reasonable chance of prevailing.

If school districts no longer had the burden of proof, they'd have no motivation to make sure everything is done properly. This change to this law stacks the deck more against the parents that need the system the most. Parents of children in special education don't need the added weight of having to hire a good lawyer just to get their children a proper education.

I strongly oppose this change.

Thank you for your time and consideration

Karen Zbierski

East Haddam, CT